

REMARKS

Claims 1-22 and 46-88 are pending. Claims 47 and 49-68 are allowed. Claims 1-15 and 17-22 are rejected under 35 USC 103(a). Claims 16 and 48 are objected to.

*Allowable Subject Matter*

Applicant acknowledges the Examiner's indication of allowable subject matter in each of claims 47-68.

To expedite prosecution, claims 1-46 have been cancelled without prejudice or disclaimer of the subject matter therein. Applicant submits that there is no need to cancel claim 48 as suggested as the double patenting objection has been overcome by cancelling claim 16. Accordingly, Applicant requests withdrawal of the claim rejections under Section of 103.

Accordingly, it is respectfully requested that the Examiner allow this application to proceed to issuance.

### CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

No charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 19497-0011001.

Respectfully submitted,

Date: 10-8-08

Kirk Dorius  
Kirk Dorius  
Reg. No. 54,073

Fish & Richardson P.C.  
One Congress Plaza  
Suite 810  
111 Congress Avenue  
Austin, TX 78701  
Telephone: (512) 472-5070  
Facsimile: (877) 769-7945